

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No. 4:17-CR-310 RLW
)
ROBERT HILL,)
)
Defendant.)

ORDER

This matter is before the Court on the Report and Recommendation and Memorandum and Opinion of United States Magistrate Judge Shirley Padmore Mensah (ECF No. 341). T

Defendant Hill filed pro se motions to dismiss seeking dismissal of the superseding indictment against him on Speedy Trial Act grounds (ECF No. 322) and on Due Process grounds (ECF No. 324), and dismissal of his standby counsel due to an alleged conflict of interest (ECF No. 323).¹ The United States filed a response opposing each of Defendant Hill's motions. (ECF No. 331.)

Pursuant to 28 U.S.C. § 636(b), this matter was referred to Judge Mensah, who held a hearing on Defendant's motion to dismiss standby counsel on July 8, 2020. Hill filed a Reply in support of his Motions on July 9, 2020. The Magistrate Judge ordered the United States to file a supplemental brief addressing the issue of how much non-excludable speedy trial time, if any, has elapsed and the legal basis for its position, and gave Hill a brief opportunity to respond. (ECF No. 337.) The United States filed its supplemental brief on July 22, 2020 (ECF No. 339). The Magistrate Judge filed the instant Report and Recommendation and Memorandum and Opinion on

¹Defendant Hill is self-represented, with his former appointed counsel now appointed only as standby counsel. See (ECF No. 280).

July 27, 2020. Neither party submitted objections to the Report and Recommendation within the fourteen (14) day period allowed pursuant to 28 U.S.C. § 636(b)(1), which required that objections be filed by August 10, 2020.

The Magistrate Judge recommends that Defendant Hill's Motion to Dismiss on Speedy Trial Grounds (ECF No. 322), Motion to Dismiss on Due Process Grounds (ECF No. 324), and Motion to Dismiss Standby Counsel (ECF No. 323), should be denied.

After de novo review of Defendants' Motions, the United States' response thereto, and the Magistrate Judge's Report and Recommendation and Memorandum and Opinion of United States Magistrate, this Court adopts the Magistrate Judge's recommendations in full.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation and Memorandum and Opinion of United States Magistrate (ECF No. 341) is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that Defendant Hill's Motion to Dismiss on Speedy Trial Grounds (ECF No. 322) is **DENIED**.

IT IS FURTHER ORDERED that Defendant Hill's Motion to Dismiss on Due Process Grounds (ECF No. 324) is **DENIED**.

IT IS FURTHER ORDERED that Defendant Hill's Motion to Dismiss Standby Counsel (ECF No. 323) is **DENIED**.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE

Dated this 19th day of August, 2020.